

REMARKS

Reexamination and reconsideration of claims 1, 3-20, and 22 are respectfully requested. This amendment cancels claims 2 and 21 without prejudice. Claims 1-22 stand rejected. The title is herewith amended to be clearly indicative of the invention to which the claims are directed.

The rejection of claim 7 under second paragraph of 35 U.S.C. 112 is respectfully traversed. Claim 7 has been amended and includes sufficient antecedent basis.

Claims 1-4, 6-9, 13, 15-17, and 22 were rejected under 35 U.S.C. sec. 102(b) applying US Patent No. 6,499,887 (the '887 patent) without a teaching reference. Applicants respectfully traverse the rejection of claims 1-4, 6-9, 13, 15-17, and 22. For a patent to be applicable under sec. 102(b), the teaching or combination of teachings must, *inter alia*, expressly or inherently, teach, or disclose, each and every feature of the claimed invention.

It is respectfully submitted that the Office Action did not make a *prima facie* case of anticipation.

Claim 1 recites *inter alia*, an alignment portion between the optical fiber receiving portion and the lead-in portion for receiving the at least one optical fiber and aligning the end portion of the at least one optical fiber with a respective one of the plurality of optical fiber bores wherein the alignment portion is configured to receive at least two optical fibers and is adapted to separate and align the at least two optical fibers parallel to the longitudinal axis in the lengthwise direction. The '887 patent does not teach or suggest an alignment portion "between the optical fiber receiving portion and the lead-in portion" and "configured to receive at least two optical fibers and is adapted to separate and align the at least two optical fibers parallel to the longitudinal axis in the lengthwise direction". Rather, the '887 patent has two separated bores, each containing a single optical fiber. For at least this reason, claim 1 is submitted to be patentable over the '887 patent. Claims 3-4, 6-9, 15-17 depend from claim 1 and are submitted to be patentable for at least the same reasons.

Claim 22 recites *inter alia*, an alignment portion between the optical fiber receiving portion and the lead-in portion for receiving the plurality of optical fibers and aligning the end portion of each of the plurality of optical fibers with a respective one of the plurality of optical fiber bores, the alignment portion comprising at least a portion having a generally oval cross section and at least one separating rib for separating the plurality of optical fibers. The '887 patent does not teach or suggest "at least one separating rib for separating the plurality of optical fibers". Rather,

10/288,840

HE0191

Page 8

the '887 patent has two separated bores, each containing a single optical fiber. For at least this reason, claim 22 is submitted to be patentable over the '887 patent.

Therefore it is respectfully requested that the rejection of claims 1-4, 6-9, 13, 15-17, and 22 be withdrawn.

The rejection of claims 5, 10-12, 14 and 18-21 as being unpatentable over the '887 patent in view of Barnes et al. (6585421, the '421 patent) is respectfully traversed.

Claims 5, 10-12 and 14 depend from claim 1 which recites *inter alia*, an alignment portion between the optical fiber receiving portion and the lead-in portion for receiving the at least one optical fiber and aligning the end portion of the at least one optical fiber with a respective one of the plurality of optical fiber bores wherein the alignment portion is configured to receive at least two optical fibers and is adapted to separate and align the at least two optical fibers parallel to the longitudinal axis in the lengthwise direction. The '887 patent and the '421 patent, either alone or in combination do not teach or suggest an alignment portion "between the optical fiber receiving portion and the lead-in portion" and "configured to receive at least two optical fibers and is adapted to separate and align the at least two optical fibers parallel to the longitudinal axis in the lengthwise direction". For at least this reason, claim 1 is submitted to be patentable over the '887 patent in view of the '421 patent. Claims 5, 10-12, and 14 depend from claim 1 and are submitted to be patentable for at least the same reasons.

Claim 18 recites *inter alia*, an alignment portion disposed between the optical fiber receiving portion and the rear face for receiving the at least two optical fibers and aligning the end portion of the at least two optical fibers with a respective two of the plurality of optical fiber bores, wherein a portion of the alignment portion has a rectangular cross section and is configured to align each of two optical fibers in a ribbon matrix with a respective one of the plurality of optical fiber bores. Neither the '887 patent nor the '421 patent, alone or in combination teach or suggest an alignment portion "between the optical fiber receiving portion and the rear face" and "configured to align each of two optical fibers in a ribbon matrix with a respective one of the plurality of optical fiber bores". Claims 19-20 depend from claim 18 and are submitted to be patentable for at least the same reasons.

Additionally, the sec. 103(a) rejection does not recite the suggestion and motivation the skilled artisan would have had in making the purported modification of the '887 patent. Instead, the Office Action only included the conclusionary statement that "it would have been obvious to one having ordinary skill in the art at the time of the instant invention to have provide (sic) these

features involving ordinary skill in the art for their intended usage". This is not an explanation why one of ordinary skill in the art would have been motivated and taken a suggestion to make the proposed modification. See the MPEP sec. 706.02(j). In other words, the Office Action lacks reasoning for the making the purported modification.

Therefore, Applicants request the 103 rejection of claims 5, 10-12, 14 and 18-21 be withdrawn.

### CONCLUSION

In view of the foregoing amendments and these remarks, Applicants respectfully request the Examiner to withdraw any objection(s) and/or rejection(s) to the claims and to reconsider the application. This Amendment is fully responsive to the Office Action and places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application.

This Amendment does not result in more independent and/or total claims than paid for previously. Accordingly, NO fee is believed to be due. However, the Examiner is hereby authorized to charge any fee due in connection with the filing of this response, including any excess claims fee, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the fee should likewise be charged to Deposit Account No. 19-2167. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,



Thomas M. Fisher

Attorney

Reg. No. 47,564

P.O. Box 489

Hickory, N. C. 28603

Telephone: 828/901-6431

Date: 7-12-05